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Attorneys for Defendant
XTO Energy Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

MARY L. DEVERA, as Personal Representative of the Estate of Trent Vigus, deceased,)	CV 18-59-BLG-TJC
Plaintiff,)	DEFENDANT XTO ENERGY INC.'S MOTION FOR SUMMARY JUDGMENT
vs.)	
EXXON MOBIL CORPORATION and XTO ENERGY, INC.,)	
Defendants.)	

Defendant XTO Energy Inc. (“XTO”), by and through its counsel of record, Holland & Hart LLP, pursuant to Fed. R. Civ. P. 56, moves the Court for entry of summary judgment on Plaintiff Mary DeVera’s complaint. Summary judgment is

proper because there is no genuine issue as to any material fact and XTO is entitled to judgment on its seventh affirmative defense (statute of limitations).

This motion is supported by a brief filed concurrently herewith. Pursuant to Local Rule 7.1, counsel for Defendant XTO has contacted counsel for Plaintiff Mary DeVera, who opposes this motion.

Dated this 31st day of August, 2018.

/s/ W. Scott Mitchell
Holland & Hart LLP

**ATTORNEYS FOR DEFENDANT XTO
ENERGY INC.**

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